

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2094

USMV RIGHTS OF MAN, Thales Biddle Davidson,
Master,

Plaintiff - Appellant,

and

PETER M. DAVIDSON, Mate; JOHN D. WILLARD, the
Vessel's Owners; ALBERT B. HOUSE; ANDREW J.
KAELIN,

Plaintiffs,

versus

CITY OF ANNAPOLIS,

Defendant - Appellee,

and

EDWARD C. HARTMAN, II; CHESAPEAKE CHARTERS;
PORT OF ANNAPOLIS; THE STATE OF MARYLAND;
CHESAPEAKE MARINE TOURS AND CHARTERS;
ANNAPOLIS BOAT SHOWS, INCORPORATED; THE BALTI-
MORE SUN; CAPITAL GAZETTE COMMUNICATIONS, IN-
CORPORATED; PAUL GOETZKE; JOHN C. PATMORE;
EILEEN FOGARTY; RUSSELL MORGAN; TERESA DE
GRAFF; WAYNE TURNER; SHEPARD TULLIER; LOUISE
HAMMOND; EMORY HARRISON; F. WILLIAM SIELING,
III; MARYLAND WATERMEN'S ASSOCIATION,

Defendants.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Joseph H. Young, Senior District Judge. (CA-97-3354-Y)

Submitted: April 30, 1999

Decided: May 25, 1999

Before WILKINS and MOTZ, Circuit Judges, and HALL, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Thales Biddle Davidson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant filed an untimely notice of appeal. We dismiss for lack of jurisdiction. The time periods for filing notices of appeal are governed by Fed. R. App. P. 4. These periods are "mandatory and jurisdictional." Browder v. Director, Dep't of Corrections, 434 U.S. 257, 264 (1978) (quoting United States v. Robinson, 361 U.S. 220, 229 (1960)). Parties to civil actions have thirty days within which to file in the district court notices of appeal from judgments or final orders. Fed. R. App. P. 4(a)(1). The only exceptions to the appeal period are when the district court extends the time to appeal under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6).

The district court entered its order on May 20, 1998; Appellant's notice of appeal was filed on July 20, 1998, which is beyond the thirty-day appeal period. Appellant's failure to note a timely appeal or obtain an extension of the appeal period leaves this court without jurisdiction to consider the merits of Appellant's appeal. We therefore dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED